## REMARKS

Claims 1-20 stand rejected as of the first non-final Office Action after an RCE, the Office Action being dated August 17, 2007. On September 28, 2007, the Applicant filed a Request for Supplementary Action and Restarting of the Reply Period, which was not granted. The Applicant thanks Examiner Hirl for telephone conferences with the Applicant's representatives, J. Robin Rohlicek and Tonya Drake on November 29, 2007, and with J. Robin Rohlicek on February 19, 2008, at which times proposed new claims were discussed, but no agreement was reached regarding the proposed claims.

New Claims 21-24

Claims 21-24 are supported at least by an embodiment related to the data structures illustrated in FIG. 2, which is reproduced below for reference.
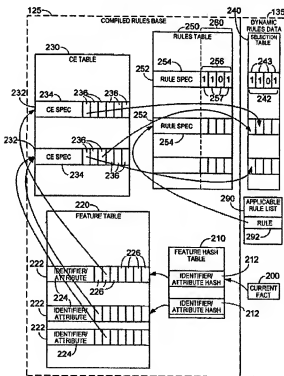


FIG. 2

As the Examiner has suggested, the Applicant has included reference numerals shown in FIG. 2 in the newly added claims. As this is not typical practice, the Applicant understand that these numerals are to be interpreted as a convenient tool for directing the

reader to an example of the element the patentee has claimed without intending to incorporate the limitations of any particular embodiment. See, e.g., Relume Corp. v. Dialight Corp., 63 F.Supp.2d 788, 786 n.6 (E.D. Mich. 1999), aff'd, 4 Fed Appx. 893 (Fed. Cir. 2001).

With reference to Claim 21, none of the cited references discloses or suggests providing the recited data structures. In particular, none of the references discloses or suggests using a dynamic data structure and a static data structure with the recited data vectors and corresponding vector of storage locations that enable determining of rules that are applicable by comparing of their elements.

As described in the Summary, this arrangement provides advantages over the prior art, including the Rete Algorithm, which is the subject of at least some of the references applied in the rejection of the pending claims. The Summary points out "These preallocated storage locations are arranged to allow efficient evaluation of the overall condition of each of the rules in a manner that is significantly more efficient than implementations of earlier rule-based systems such as Rete implementations of OPS5" (para. [0007]). The Summary further points out "Representation of the values of condition elements in a compact data structure, such as a bit vector, can enable efficient evaluation of the conditions for rules making use of the condition element" (para. [0016]).

The Applicant recognizes that the recited term "data vector (256)... such that each element of the data vector is associated with a different one of the condition elements" should be afforded its ordinary meaning, and not necessarily limited by the described embodiments. For example, a person of ordinary skill in computer science would understand "vector" to mean an arrangement in an array ordered such that individual elements can be located with a single index or offset. The prior art does not describe or suggest use of a static data structure that includes such data vectors, or more specifically bit vectors, that are then used in determining whether rules are applicable. Similarly, the prior art does not describe or suggest use of a dynamic data structure that includes the

recited vectors of storage locations, or more specifically a storage bit vectors, that are then used in determining whether rules are applicable.

### Claim 1-20

The Applicant has cancelled claims 1-20 for the purpose of advancing prosecution. The Applicant maintains the positions set forth in the Request for Supplementary Action filed on September 28, 2007, and reserves the right to pursue these claims in further prosecution.

### Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The Petition for Extension of Time fee in the amount of $525.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 30008-002001.

Respectfully submitted,

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